

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
J-1	Joint	2/12/2018	Mutual Non-Disclosure Agreement by and between Urban Outfitters, Inc. and Le Tote, Inc. (fully executed)		LeTote_011529	LeTote_011532			
J-2	Joint	2/19/2018	Email from Dave Hayne to Grace Liu, Kim Gallagher, Melanie Marein-Efron, Chloe Thompson re: Information Request from Le Tote		URBAN_000004873	URBAN_000004877			
J-3	Joint	3/21/2018	Email from Dave Hayne to "Folks" re: Canceled: off site		URBAN_000008676	URBAN_000008677			
J-4	Joint	Apr-18	Le Tote Product Roadmap Slide Deck		LeTote_008264	LeTote_008294			
J-5	Joint	Apr-18	Le Tote Customer Insights Slide Deck		URBAN_000005811	URBAN_000005831			
J-6	Joint	5/2/2018	Project Thermal: Board of Directors Meeting Slide Deck	Highly Confidential - Attorneys' Eyes Only	URBAN_000000222	URBAN_000000237			
J-7	Joint	1/18/2018	Email from Frank Conforti to Chloe Thompson, Melanie Marein-Efron, and Dave Hayne FW: Le Tote		URBAN_000016593	URBAN_000016594			
J-8	Joint		Document Titled "List of Vendors, Consultants, & Experts (30(b)(6) Deposition	Highly Confidential - Attorneys' Eyes Only	none	none			
J-9	Joint	2/27/2018	Urban Outfitters, Inc. Board of Directors Meeting Agenda	Highly Confidential - Attorneys' Eyes Only	URBAN_000018551	URBAN_000018564			
J-10	Joint	5/2/2018	Minutes of the Board of Directors Meeting of Urban Outfitters, Inc.	Highly Confidential - Attorneys' Eyes Only	URBAN_000018565	URBAN_000018567			
J-11	Joint	10/12/2018	Rental Tech Decision Slide Deck	Highly Confidential - Attorneys' Eyes Only	URBAN_000019482	URBAN_000019488			
J-12	Joint	9/10/2018	Subscription Rental Business Plan	Highly Confidential - Attorneys' Eyes Only	URBAN_000016187	URBAN_000016208			REPLACED WITH COLOR IMAGES
J-13	Joint	8/28/2018	Subscription Rental Business Plan	Highly Confidential - Attorneys' Eyes Only	URBAN_000007980	URBAN_000008022			
J-14	Joint	12/4/2018	Subscription Rental Quarterly Update	Highly Confidential - Attorneys' Eyes Only	URBAN_000019490	URBAN_000019504			
J-15	Joint	9/25/2018	Subscription Rental Business Plan	Highly Confidential - Attorneys' Eyes Only	URBAN_000011338	URBAN_000011398			
J-16	Joint	4/23/2018	Email from Frank Conforti to Dick Hayne and Dave Hayne RE: Exec meeting		URBAN_000003606	URBAN_000003607			
J-17	Joint	4/24/2018	Email from Calvin Hollinger to John Devine FW: LeTote Build Versus Buy - My Opinion		URBAN_000007187	URBAN_000007188			
J-18	Joint	6/5/2018	Urban Outfitters, Inc. Board of Directors Meeting Agenda	Highly Confidential - Attorneys' Eyes Only	URBAN_000019928	URBAN_000019933			
J-19	Joint		Document Titled "Cleaning, Finishing, QA"		URBAN_000019084	URBAN_000019085			
J-20	Joint		Document Titled "Inspection"		URBAN_000019131	URBAN_000019136			
J-21	Joint		Document Titled "Picking"		URBAN_000019144	URBAN_000019145			
J-22	Joint		Document Titled "Put Away"		URBAN_000019164	URBAN_000019165			
J-23	Joint		Document Titled "Receiving - DC"		URBAN_000019160	URBAN_000019163			
J-24	Joint		Document Titled "Returns"		URBAN_000019129	URBAN_000019130			
J-25	Joint		Document Titled "Packing - Archive"		URBAN_000019091	URBAN_000019092			
J-26	Joint		"RMS Project Schedule" Tracking Spreadsheet		URBAN_000019094	URBAN_000019115			
J-27	Joint		Recommendations		URBAN_000019151	URBAN_000019159			
J-28	Joint	7/20/2022	Nuuly Cumulative Investment	Highly Confidential	none	none			
J-29	Joint	9/15/2022	Le Tote's Supplemental Responses to Urban's Interrogatory Nos. 1-5 and 16 with Verification of E. Kremer		none	none			
J-30	Joint		List of Virtual Data Room When Established		Datasite000005	Datasite000005			
J-31	Joint		LeTote 2017 Calendar Year End Balance Sheet		LeTote_009166	LeTote_009166			
J-32	Joint		2016 Le Tote Audited Financial Statements		LeTote_025741	LeTote_025768			
J-33	Joint		LeTote 2018 Calendar Year End Balance Sheet		LeTote_025769	LeTote_025769			
J-34	Joint		LeTote 2014 Calendar Year End Balance Sheet		LeTote016842	LeTote016842			
J-35	Joint		LeTote 2015 Calendar Year End Balance Sheet		LeTote028506	LeTote028506			
J-36	Joint		Case Study "URBN reinvented warehousing with their new cloud-based management system"		LeTote057621	LeTote057624			
J-37	Joint	4/1/2019	2019 SEC Form 10-K Filing of Urban Outfitters	none	none	none			
J-38	Joint	3/31/2020	2020 SEC Form 10-K Filing of Urban Outfitters	none	none	none			
J-39	Joint	4/1/2021	2021 SEC Form 10-K Filing of Urban Outfitters	none	none	none			
J-40	Joint	4/1/2022	2022 SEC Form 10-K Filing of Urban Outfitters	none	none	none			
J-41	Joint	4/13/2018	Email from Frank Conforti to Ed Paoletta, Kirsten Comley, Chloe Thompson, Azeez Hayne, Melanie Marein-Efron, Dave Hayne, Oona McCullough, Calvin Hollinger, Barbara Rozsas, and John Devine re: Le Tote		URBAN_000016582	URBAN_000016584			
J-42	Joint		Nuuly 2022 Fiscal Year Income Statement Summary	Highly Confidential	URBAN_000019062	URBAN_000019062			
J-43	Joint		Document Titled "Assign Fingerprints" with Sections Titled "Summary" and "Web Application Requirements"		URBAN_000019093	URBAN_000019093			

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Amended Joint Exhibit List Pursuant to Fed. R. Civ. P. 26(a)(3)(A)(iii)

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
J-44	Joint	10/22/2020	Order (A) Approving the Asset Purchase Agreement, (B) Authorizing the Sale of Assets Free and Clear of Liens, Claims, Encumbrances, and Interests, (C) Authorizing the Assumption and Assignment of Contracts and Leases, and (D) Granting Related Relief filed in <i>In re Le Tote, Inc. et al.</i> , No. 20-33332-KLP (Bankr. E.D. Va.) at ECF No. 473	none	none	none			
J-45	Joint	12/7/2020	Debtors' Report for the Sale of the Acquired Assets Pursuant to Local Bankruptcy Rule 6004-2 filed in <i>In re Le Tote, Inc. et al.</i> , No. 20-33332-KLP (Bankr. E.D. Va.) at ECF No. 645	none	none	none			
J-46	Joint	10/12/2018	Email from Dave Hayne to Calvin Hollinger Re: Subscription		URBAN_000019481	URBAN_000019481			Attachment is J-011
P-1	Le Tote	Apr-18	Le Tote Engineering, Product, & Design Slide Deck		URBAN_000000295	URBAN_000000318	Hearsay (Rule 801 and 802)	Records of a Regularly Conducted Activity (Rule 803(6))	
P-2	Le Tote		"Competition" analysis document		URBAN_000000249	URBAN_000000252	Hearsay (Rule 801 and 802)	Records of a Regularly Conducted Activity (Rule 803(6))	
P-3	Le Tote	Jan-18	Le Tote Front-End Technology Platform Slide Deck		URBAN_000000253	URBAN_000000271	Hearsay (Rule 801 and 802)	Records of a Regularly Conducted Activity (Rule 803(6))	
P-4	Le Tote	3/8/2018	Email from Kim Gallagher to Grace Liu, Melanie Marein-Efron, Dave Hayne, and Chloe Thompson re: Le Tote Supplemental Information Summary		URBAN_000005951	URBAN_000005953	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-5	Le Tote	5/2/2018	Email from Joe Stratter to Kim Gallagher re: What am I Missing?		URBAN_000005777	URBAN_000005778			
P-6	Le Tote	5/8/2019	Email from Frank Conforti to Ed Paoletta and Kirsten Compley FW: RTR research		URBAN_000007096	URBAN_000007096			Attachment is P-007
P-7	Le Tote	Apr-19	Earnest Research Report "Rent the Runway: Impact of changing consumer behavior on high end apparel retail"		URBAN_000007097	URBAN_000007104	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Not offered for the truth of the matter asserted (Rule 801 (c)(3)). Foundation to be established at trial.	
P-8	Le Tote		Executive Committee Meeting: Subscription - Rental for Apparel		URBAN_000000003	URBAN_000000006			
P-9	Le Tote	3/29/2018	Email from Melanie Marein-Efron to Frank Conforti and Chloe Thompson re: Le Tote (Big shift in rental strategy is coming)		URBAN_000003399	URBAN_000003400			
P-10	Le Tote	4/19/2018	Email from Frank Conforti to Dick Hayne re: Valuation & Timing		URBAN_000004973	URBAN_00004973			
P-11	Le Tote	4/25/2018	Email from Frank Conforti to Melanie Marein-Efron RE: Thermal Latest Model		URBAN_000003609	URBAN_000003610	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-12	Le Tote	4/23/2018	Email from Chloe Thompson to Kaity Miller FW: URBN Materials for Goldman Meeting		URBAN_000005320	URBAN_000005320			Attachment is P-012
P-13	Le Tote	4/23/2018	Goldman Sachs & Co. LLC Preliminary Valuation Materials: Project Thermal Slide Deck	Highly Confidential - Attorneys' Eyes Only	URBAN_000005321	URBAN_000005360	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-14	Le Tote	5/1/2018	Email from Melanie Marein-Efron to Gabriel Weissmann, Kathy Elsesser, Cosmo Roe, Vishaal Rana, Ryan Mayes, Frank Conforti, and Chloe Thompson re: Project Thermal Board Deck Changes		URBAN_000004701	URBAN_000004702			
P-15	Le Tote	4/30/2018	Email from Frank Conforti to URBN Board re: Project Thermal BOD Final for Pre-Read		URBAN_000005288	URBAN_000005288			Attachment is P-015
P-16	Le Tote	4/30/2018	Urban Outfitters, Inc. Project Thermal: Board of Directors Meeting Slide Deck	Highly Confidential - Attorneys' Eyes Only	URBAN_000005289	URBAN_000005304			
P-17	Le Tote	5/2/2018	Email from Chloe Thompson to Kaity Miller and Grace Liu FW: Additional Materials for Wednesday		URBAN_000005278	URBAN_000005279	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	Attachment is P-018
P-18	Le Tote	5/2/2018	Goldman Sachs & Co. LLC Discussion Materials for the Board of Directors, Urban Outfitters, Project Thermal Slide Deck	Highly Confidential - Attorneys' Eyes Only	URBAN_000005280	URBAN_000005287	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-19	Le Tote	5/1/2018	Email from Josiah Nedd to Kaity Miller and Melanie Marein-Efron re: Thermal Consolidated v5.xlsx		URBAN_000005381	URBAN_000005381	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	Attachment is P-020
P-20	Le Tote	5/1/2018	Thermal Consolidated v5.xlsx		URBAN_000005382	URBAN_000005382	Lack of Foundation (Rule 901)	Foundation to be established at trial.	
P-21	Le Tote	6/1/2022	Subpoena to 30(b)(6) to Testify at a Deposition	Highly Confidential - Attorneys' Eyes Only	none	none			

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P-22	Le Tote	2/23/2018	Email from John Devine to Urban C-Suite re: Subscription Flow Walkthrough		URBAN_000007151	URBAN_000007151	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	Attachments are P-023 and P-024
P-23	Le Tote	2/23/2018	Subscription System Flow Chart		URBAN_000007152	URBAN_000007153	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-24	Le Tote	2/23/2018	Subscription System Notes		URBAN_000007154	URBAN_000007154	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-25	Le Tote		Document Titled "Individuals Who May Have Reviewed Confidential Information Provided by Le Tote Pursuant to NDA"	Highly Confidential - Attorneys' Eyes Only	none	none			
P-26	Le Tote	5/23/2019	Email from Kim Gallagher to Dave Hayne and J. Stratton Fwd: Gwynnie Bee		URBAN_000009605	URBAN_000009605			
P-27	Le Tote	3/15/2018	Email from Dave Hayne to Frank Conforti Re: CaaS/le/rental update		URBAN_000006898	URBAN_000006899	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-28	Le Tote	4/13/2018	Email from Dave Hayne to Brett Northart Re: Deeper Tech Call		LeTote_019316	LeTote_019317			
P-29	Le Tote	4/16/2018	Email from Brett Northart to Dave Hayne Re: Le Tote Tech Deck		LeTote_008262	LeTote_008263	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Foundation to be established at trial.	
P-30	Le Tote	4/20/2018	Le Tote Due Diligence Q+A		LeTote_023039	LeTote_023042	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Foundation to be established at trial.	
P-31	Le Tote	4/22/2018	Email from Dick Hayne to Dave Hayne and Frank Conforti re: Exec Meeting		URBAN_000003587	URBAN_000003587			Attachment is P-032
P-32	Le Tote	4/22/2018	Exec Meeting Outline		URBAN_000003588	URBAN_000003591			
P-33	Le Tote	5/11/2018	Email from Sukhinder Singh Cassidy to Dick Hayne Re: Update on the Update		URBAN_000006545	URBAN_000006545	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-34	Le Tote	5/9/2018	Email from Kim Gallagher to Calvin Hollinger Re: If We Decide To Build Rental/Subscription Internally		URBAN_000014961	URBAN_000014962	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-35	Le Tote	7/23/2018	Email from Philip Nanne to Dave Hayne FWD Info		URBAN_000016225	URBAN_000016226			
P-36	Le Tote	4/11/2018	Email from Dave Hayne to Dave Hayne re: Le Tote Office		URBAN_000003918	URBAN_000003919	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-37	Le Tote	4/12/2018	Email from Dick Hayne to Dave Hayne RE: San Fran		URBAN_000004030	URBAN_000004033			
P-38	Le Tote		Document Titled "Le Tote Trip Objectives & Questions"		URBAN_000000212	URBAN_000000214	Hearsay (Rule 801 and 802)	Records of a Regularly Conducted Activity (Rule 803(6)).	
P-39	Le Tote	3/22/2018	Email from Dave Hayne to Dick Hayne re: Rental Thoughts		URBAN_000019505	URBAN_000019506			Attachment is P-040
P-40	Le Tote	3/22/2018	"Borrowed By" Press Release		URBAN_000019507	URBAN_000019507			
P-41	Le Tote	9/10/2018	Email from Philip Nanne to Dave Hayne re: Deck for Logistics Summit		URBAN_000016186	URBAN_000016186			
P-42	Le Tote	2/27/2019	Email from Josiah Nedd to Colleen McEntee re: Nuuly August Deck		URBAN_000007979	URBAN_000007979	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	Attachment is J-013
P-43	Le Tote	2/21/2019	Email from Dave Hayne to Susan Kuhn and Meredith Boice re: Nuuly Modified Deck		URBAN_000016115	URBAN_000016115			Attachment is P-044
P-44	Le Tote	2/26/2019	Subscription Rental Quarterly Update	Highly Confidential - Attorneys' Eyes Only	URBAN_000016116	URBAN_000016126			
P-45	Le Tote	6/1/2018	David Hayne Online Journal		URBAN_000019741	URBAN_000019776	Relevance (Rule 402) Hearsay (Rule 801 and 802) Prejudice, Confusion (Rule 403)	Document is relevant to, <i>inter alia</i> , Urban's use of Le Tote's confidential information and state of mind. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Objection is unclear as to how evidence will cause prejudice or confusion.	
P-46	Le Tote	5/7/2018	Email from Dick Hayne to Dave Hayne re: Plan		URBAN_000004652	URBAN_000004652			Attachment is P-047
P-47	Le Tote	5/7/2018	Board Presentation: Project Neo-Thermal Business Plan		URBAN_000004653	URBAN_000004653			

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P-48	Le Tote	2/9/2018	Email from Chloe Thompson to Dave Hayne FW: Le Tote Notes 2/7/2018		URBAN_000016631	URBAN_000016631	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-49	Le Tote	2/23/2018	Email from Grace Liu to Dave Hayne, Kim Gallagher, Chloe Thompson, and Melanie Marein-Efron re: Le Tote + Vow To Be Chic Update		URBAN_000005947	URBAN_000005948	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-50	Le Tote	2/15/2018	Email from Grace Liu to Melanie Marein-Efron, Dave Hayne, Kim Gallagher, and Chloe Thompson RE: Le Tote Questions		URBAN_000003532	URBAN_000003534	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-51	Le Tote	3/19/2018	Email from Dave Hayne to Chloe Thompson, Grace Liu, and Melanie Marein-Efron Re: Rtr Meeting		URBAN_000015379	URBAN_000015381			
P-52	Le Tote	3/23/2018	Email from Joe Stratter to Dave Hayne Re: Le Tote Campus Visit - Next Week		URBAN_000003575	URBAN_000003576			
P-53	Le Tote	4/25/2018	Email from Miran Ahmad to Melanie Marein-Efron, Chloe Thompson, Grace Liu, and Kaity Miller re: Thermal - New Uploads and Q&A Attached		LeTote_023038	LeTote_023038	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-54	Le Tote	5/1/2018	Email from Kaity Miller to Chloe Thompson and Grace Liu Re: Sign of the Times		URBAN_000004022	URBAN_000004024	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-55	Le Tote	5/14/2018	Email from Frank Conforti to Kim Gallagher, Dave Hayne, and Joe Stratter re: Outline		URBAN_000006155	URBAN_000006155			Attachment is P-056
P-56	Le Tote	5/14/2018	BOD-Rental Outline Board Presentation: Project Neo-Thermal Business Plan	Confidential	URBAN_000006156	URBAN_000006160			
P-57	Le Tote	2/20/2018	Email from Dave Hayne to Frank Conforti and Azeez Hayne Re: Le Tote Intel		URBAN_000015480	URBAN_000015481	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-58	Le Tote	4/12/2018	Email from Frank Conforti to Dick Hayne and Dave Hayne re: San Fran		URBAN_000003985	URBAN_000003986	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-59	Le Tote	4/12/2018	Email from Frank Conforti to Kathy Elsesser of Goldman Sachs re: Following Up		URBAN_000006924	URBAN_000006924	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-60	Le Tote	4/13/2018	Email from Dave Hayne to Joe Stratter and Kim Gallagher FW: Le Tote		URBAN_000019230	URBAN_000019232			
P-61	Le Tote	4/19/2018	Email from Frank Conforti to Vishaal Rana and Kathy Elsesser of Goldman Sachs RE: Project Thermal		URBAN_000006745	URBAN_000006748	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-62	Le Tote	4/26/2018	Email from Frank Conforti to Dave Hayne RE: LT Customer Survey		URBAN_000004287	URBAN_000004288			
P-63	Le Tote	4/26/2018	Email from Dave Hayne to Frank Conforti Re: Email?		URBAN_000006805	URBAN_000006806	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-64	Le Tote	4/28/2018	Email from Dick Hayne to Dave Hayne RE: Le Tote		URBAN_000004645	URBAN_000004645			
P-65	Le Tote	4/29/2018	Email from Frank Conforti to Dick Hayne, Dave Hayne, Melanie Marein-Efron, Meredith Boice, and Chloe Thompson re: Monday....		URBAN_000004170	URBAN_000004170			
P-66	Le Tote	4/3/2018	Email from Frank Conforti to Ed Paoletta RE: 'LeTote'		URBAN_000006773	URBAN_000006775	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-67	Le Tote	4/30/2018	Email from Vishaal Rana of Goldman Sachs to Frank Conforti, Kathy Elsesser, and Cosmo Roe RE: Tuesday Timing		URBAN_000005055	URBAN_000005056	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-68	Le Tote	5/2/2018	Email from Frank Conforti to Dave Hayne FW: Board Call Tomorrow		URBAN_000006564	URBAN_000006566			
P-69	Le Tote	5/1/2018	Email from Frank Conforti to Urban Outfitters Board of Directors re: Additional Materials for Wednesday		URBAN_000019923	URBAN_000019923			Attachment is P-070
P-70	Le Tote	5/2/2018	Project Thermal: Board of Directors Meeting Discussion Materials Slide Deck	Highly Confidential - Attorneys' Eyes Only	URBAN_000019924	URBAN_000019926			
P-71	Le Tote	5/3/2018	Email from Sukhinder Singh Cassidy to Frank Conforti, Dick Hayne, and Dave Hayne Fwd: Did You Ever Look at Le Tote's Series C Financing?		URBAN_000005389	URBAN_000005389	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	

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P-72	Le Tote	4/18/2018	Email from Frank Conforti to Chloe Thompson, Melanie Marein-Efron, and Dave Hayne re: Calendar		URBAN_000003917	URBAN_000003917			
P-73	Le Tote	4/29/2018	Email from Frank Conforti to Dick Hayne RE: Project Thermal		URBAN_000006665	URBAN_000006666			
P-74	Le Tote	5/1/2018	Email from Dick Hayne to Frank Conforti RE: URBN Adj Comp Sales by Group 2018-05-01	Confidential	URBAN_000006591	URBAN_000006592	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Relevance (Rule 402)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial. Relevant to state of mind.	
P-75	Le Tote	5/1/2018	Email from Frank Conforti to Dick Hayne Fwd: LeTote Shipping Costs		URBAN_000006663	URBAN_000006663	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Relevance (Rule 402)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial. Relevant to state of mind.	
P-76	Le Tote	5/4/2018	Email from Frank Conforti to Calvin Hollinger Re: Hope You're Feeling Better		URBAN_000006641	URBAN_000006641	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Impermissible Character Evidence (Rule 404)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial. Rule 404 does not apply to corporations. Even if it did, exhibit does not qualify.	
P-77	Le Tote	5/6/2018	Email from Frank Conforti to Calvin Hollinger RE: What I Did Not Include in My Note		URBAN_000006639	URBAN_000006639			
P-78	Le Tote	5/7/2018	Email from Calvin Hollinger to John Devine FW: If We Decide To Build Rental/Subscription Internally		URBAN_000007158	URBAN_000007159	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	Attachment is P-079
P-79	Le Tote	5/6/2018	Document Titled "URBN X" by Dave Hayne		URBAN_000007160	URBAN_000007163			
P-80	Le Tote	5/12/2018	Email from Kathy Elsesser of Goldman Sachs to Frank Conforti and Cosmo Roe Re: Following Up		URBAN_000016670	URBAN_000016672	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-81	Le Tote	10/10/2018	Email from Frank Conforti to Dave Hayne re: Monthly Meetings		URBAN_000006934	URBAN_000006935			
P-82	Le Tote		LinkedIn Profile of Chirag Dadia	Confidential	none	none			
P-83	Le Tote		"Milestones" Tracking Spreadsheet		URBAN_000016502	URBAN_000016502			
P-84	Le Tote		Document Titled "Rental Systems Overview"		URBAN_000019089	URBAN_000019090			
P-85	Le Tote		Document Titled "Kiosk Application"		URBAN_000019172	URBAN_000019172			
P-86	Le Tote		Document Titled "Delayed Feedback for Bandits"		URBAN_000019080	URBAN_000019083			
P-87	Le Tote		"Modules, Features, Assumptions" Spreadsheet	Confidential	none	none	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Insufficient description; all rights reserved	Deposition Exhibit 116 from Stratter and Dadia's depositions. Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-88	Le Tote		"Epic, Feature, Assumption" Spreadsheet	Confidential	none	none	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Insufficient description; all rights reserved	Deposition Exhibit 117 from Stratter and Dadia's depositions. Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-89	Le Tote		"Epic, Feature, Assumption" Spreadsheet (Additional Page)	Confidential	none	none	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Insufficient description; all rights reserved	Deposition Exhibit 118 from Stratter and Dadia's depositions. Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-90	Le Tote	10/3/2018	Email from Greg Sterndale of Promptworks to Joe Stratter, Chirag Dadia, Dave Hayne, Ray Zane, and Andrew Croce Re: Friday		URBAN_000016508	URBAN_000016509	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial. Foundation to be established at trial.	

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
P-91	Le Tote		Promptworks Case Study Titled "URBN reinvented warehousing with their new cloud-based management system"	Confidential	none	none	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-92	Le Tote		LinkedIn Profile of Joe Stratter	Confidential	none	none			
P-93	Le Tote	5/3/2018	Email from Joe Stratter to Calvin Hollinger re: Conversation with Calvin Hollinger		URBAN_000005796	URBAN_000005796	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-94	Le Tote	8/3/2018	Email from Phillip Nanney to Dave Hayne, Omar Tovar, and Joe Stratter re: Week 2 Recap		URBAN_000016501	URBAN_000016501			Attachment is P-083
P-95	Le Tote	5/22/2017	Email from Dave Hayne to Board of Directors FW: Le Tote Deck for Urban Outfitters		URBAN_000004582	URBAN_000004582			Attachment is P-096
P-96	Le Tote	5/22/2017	Le Tote Product Overview		URBAN_000004583	URBAN_000004587	Hearsay (Rule 801 and 802)	Records of a Regularly Conducted Activity (Rule 803(6))	
P-97	Le Tote	4/20/2018	Email from Joe Stratter to Jenn Grasso re: URBN Visit Next Week		URBAN_000004230	URBAN_000004230			
P-98	Le Tote	3/27-28/2018	Le Tote Visit Agenda		URBAN_000004147	URBAN_000004148			
P-99	Le Tote		Document Titled "How: Entry Options"		URBAN_000005295	URBAN_000005304	Incomplete (Rule 106)	Part of statement to be introduced to make complete not identified.	
P-100	Le Tote	4/9/2018	Email from Calvin Hollinger to Calvin Hollinger and Frank Conforti re: Conversation with Calvin Hollinger		URBAN_000006908	URBAN_000006909	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Prejudice, Confusion (403)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial. Prejudice and confusion objection is without basis.	
P-101	Le Tote	4/16/2018	Email from Frank Conforti to Calvin Hollinger Re: Fwd: LT tech call		URBAN_000006760	URBAN_000006761			
P-102	Le Tote	4/18/2018	Email from Calvin Hollinger to John Devine Re: Le Tote Technology		URBAN_000007201	URBAN_000007203			
P-103	Le Tote	4/21/2018	Email from John Devine to Calvin Hollinger Re: Letote		URBAN_000007519 URBAN_000007151 URBAN_000006460 URBAN_000019481 URBAN_000007165 URBAN_000006760 URBAN_000006639 URBAN_000006641 URBAN_000007158 URBAN_000007154	URBAN_000006761        URBAN_000007159	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-104	Le Tote	5/4/2018	Email from Calvin Hollinger to John Devine re: Work in Progress		URBAN_000007165	URBAN_000007165	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-105	Le Tote	6/4/2018	Email from Calvin Hollinger to Frank Conforti Re: DTC Update		URBAN_000019264	URBAN_000019266	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-106	Le Tote	9/7/2018	Email from Dick Hayne to Calvin Hollinger RE: Placeholder Charles Ickes - RTR		URBAN_000006460	URBAN_000006460			
P-107	Le Tote	11/15/2018	Email from David Hayne to Dreama Dillon, Sky Pollard, Kim Gallagher, Alan Rosenwinkel, Thomas Szumowski, and Caroline Dilsheimer re: Attribute Deck		URBAN_000010959	URBAN_000010959			Attachment is P-108
P-108	Le Tote	11/15/2018	URBN Product Attribution Slide Deck		URBAN_000010960	URBAN_000010967			
P-109	Le Tote	7/2/2018	Email from Alan Rosenwinkel to Alan Rosenwinkel re: Slides		URBAN_000018148	URBAN_000018148			Attachment is P-110
P-110	Le Tote	7/20/2018	Data Science for Rental Slide Deck		URBAN_000018149	URBAN_000018179			
P-111	Le Tote	3/28/2019	Email from Cheryl Schimpf to Alan Rosenwinkel, Dave Hayne, and Chirag Dadia Re: DY follow-up		URBAN_000016128	URBAN_000016128	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-112	Le Tote	6/19/2018	Email from Project Thermal on behalf of Azeez Hayne to Alan Rosenwinkel re: Azeez Hayne added you to the Project Thermal group		URBAN_000018446	URBAN_000018450	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-113	Le Tote	3/14/2019	Email from Dreama Dillon to Alan Rosenwinkel re: Year 1 Line Plan and Buy Sheet.xlsx		URBAN_000017078	URBAN_000017079	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	CORRECTED



Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
P-114	Le Tote	11/2/2018	Email from Rachel Smith to Alan Rosenwinkel Re: Updates based on the chat with Joe		URBAN_000017968	URBAN_000017972	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-115	Le Tote	6/29/2018	Email from Alan Rosenwinkel to Chirag Dadia re: Rough draft of slides for Tuesday		URBAN_000018361	URBAN_000018387			CORRECTED (NOTE: the corrected exhibit attaches a draft version of P-110.)
P-116	Le Tote	4/13/2018	Email from Brett Northart to Dave Hayne Re: Deeper Tech Call		URBAN_000005001	URBAN_000005003			
P-117	Le Tote	9/24/2018	Email from Kim Gallagher to Joe Stratter and Alan Rosenwinkel re: 3p onboarding meeting		URBAN_000011399	URBAN_000011399			Attachment is P-118
P-118	Le Tote	9/24/2018	Onboarding Questionnaire Slide Deck		URBAN_000011400	URBAN_000011403			
P-119	Le Tote	7/20/2022	30(b)(6) - Topic 12	Highly Confidential	none	none			
P-120	Le Tote		Picture of Nuuly Return Sort Chart		LeTote_057687	LeTote_057687	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-121	Le Tote		Picture of Nuuly Wash Sort Description Chart		LeTote_057661	LeTote_057661	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-122	Le Tote	6/15/2022	Transcript of Individual and 30(b)(6) Deposition of Charles Bowman	Highly Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Le Tote presently intends to call Mr. Bowman as a live witness but reserves the right to designate portions of his deposition testimony pursuant to Rule 804(b).	
P-123	Le Tote	6/27/2022	Transcript of Deposition of Dave Hayne	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-124	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Computer Monitor and Handheld Scanner Gun on Countertop with Blue, Orange, and Black Bins Surrounding Station		LeTote_057655	LeTote_057655	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-125	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Laminated Poster Titled "Inspections"		LeTote_057710	LeTote_057710	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-126	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Laminated Poster Titled "Fail Zones"		LeTote_057711	LeTote_057711	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-127	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Clothing with "Machine Sewing" and "Shaving" Pouches on Rack		LeTote_057722	LeTote_057722	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-128	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of RFID Tag on Apparel Tag		LeTote_057743	LeTote_057743	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-129	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of RFID on Hanger		LeTote_057744	LeTote_057744	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-130	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Heat Sealing Machine on Countertop		LeTote_057760	LeTote_057760	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-131	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Machine Control Panel		LeTote_057762	LeTote_057762	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	

<b>Trial Ex.</b>	<b>Party Offering Proposed Exhibit</b>	<b>Date</b>	<b>Description</b>	<b>Confidentiality</b>	<b>Bates Begin</b>	<b>Bates End</b>	<b>Objection(s)</b>	<b>Counter-Objection(s)</b>	<b>Notes</b>
P-132	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor on Countertop with Instruction "2. Scan Fingerprint" on Screen		LeTote_057782	LeTote_057782	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-133	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Zebra Scanning Device with "Put Away Fingerprint", "Location BIN 85", "Scan Count 1", "Fingerprints Scanned", and "Fingerprint 1050418161" on Screen		LeTote_057784	LeTote_057784	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-134	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor with Instruction "2. Inspect" on Screen		LeTote_057792	LeTote_057792	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-135	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor, Label Printer, and Handheld Scanner Gun on Countertop with Instruction "1. Print Labels" on Screen		LeTote_057796	LeTote_057796	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-136	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Computer Monitor, Label Printer, and Handheld Scanner Gun on Countertop with Instruction "Print Return Label" and "Print Shipping Label" on Screen		LeTote_057798	LeTote_057798	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-137	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor, Label Printer, and Handheld Scanner Gun on Countertop with Instruction "1. Scan Fingerprint" on Screen		LeTote_057801	LeTote_057801	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-138	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor and Label Printer on Countertop with "Scan" Instructions on Screen		LeTote_057803	LeTote_057803	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-139	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Computer Monitor and Label Printer on Countertop with "Scan" Instructions on Screen and Two (2) Checkmarks		LeTote_057804	LeTote_057804	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-140	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor and Label Printer on Countertop with "Scan" Instructions on Screen and Four (4) Checkmarks		LeTote_057806	LeTote_057806	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-141	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor and Label Printer on Countertop with "Scan" Instructions on Screen and Six (6) Checkmarks		LeTote_057807	LeTote_057807	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-142	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Computer Monitor, Label Printer, and Handheld Scanner Gun on Countertop with "Print Labels" Instruction on Screen		LeTote_057811	LeTote_057811	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-143	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Dymo Scale		LeTote_057815	LeTote_057815	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-144	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor with Instruction "2. Scan Items" and "Scanned 6 of 6" on Screen		LeTote_057816	LeTote_057816	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-145	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Bottom of Computer Monitor and Handheld Scanner Gun		LeTote_057818	LeTote_057818	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-146	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor and Handheld Scanner Gun with "Confirm garments not returned" Message on Screen		LeTote_057819	LeTote_057819	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO



Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
P-147	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor with Instruction "2. Scan Items" and "Scanned 2 of 6" on Screen		LeTote_057820	LeTote_057820	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-148	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Computer Monitor and Handheld Scanner Gun with Instruction "1. Scan Fingerprint" on Screen		LeTote_057823	LeTote_057823	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-149	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor with Instruction "2. Scan Items" and "Scanned 6 of 6" with Throbber on Screen		LeTote_057824	LeTote_057824	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-150	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor and Handheld Scanner Gun with "4" Bubble on Screen		LeTote_057826	LeTote_057826	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-151	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Computer Monitor and Handheld Scanner Gun with Instruction "For this garment mesh bag, empty pockets, place accessory in bag with garment, zip/button up" on Screen		LeTote_057827	LeTote_057827	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-152	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Clothing Hanging on Rack		LeTote_057828	LeTote_057828	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-153	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Z-Rack Barcode "For Inventory Control" Pouch on Rack		LeTote_057829	LeTote_057829	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-154	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Zebra Scanning Device with "Slot 7 Place the garment on your Z-Rack in this slot" Message on Screen		LeTote_057830	LeTote_057830	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-155	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor and Handheld Scanner Gun with Instruction "2. Scan Items" and "Scanned 3 of 6" on Screen		LeTote_057835	LeTote_057835	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-156	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Computer Monitor and Handheld Scanner Gun with "2" Bubble on Screen		LeTote_057837	LeTote_057837	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-157	Le Tote	7/17/2022	Nuuly Warehouse Photograph of Clothing Hanging with "59" Pouch on Rack		LeTote_057854	LeTote_057854	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-158	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Zebra Scanning Device with Item Fingerprint		LeTote_057861	LeTote_057861	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-159	Le Tote	17-Jul-22	Nuuly Warehouse Photograph of Clothing Hanging on Rack Running Length of Warehouse		LeTote_057873	LeTote_057873	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	REPLACED W/COLOR PHOTO
P-160	Le Tote		Modules, Features, Assumptions for Receiving, Locations, Product Grouping, Put A Way, Inventory Management, Waving, Picking, Packing, and Shipping Spreadsheet	Highly Confidential	PromptWorks0000069	PromptWorks0000069	Lack of Foundation (Rule 901)	Foundation to be established at trial.	
P-161	Le Tote		Document Titled "Demonstrations" for "Rental Solution Overview" and "Sprint 11 Demo Agenda" for "Feature/Process" and "Solution/Technology Exercised"	Highly Confidential	PromptWorks0000527	PromptWorks0000528	Lack of Foundation (Rule 901)	Foundation to be established at trial.	
P-162	Le Tote		Modules, Features, Assumptions for Receiving, Locations and Statuses, Product Grouping, Put A Way, Inventory Management, Waving, Picking, Packing, and Shipping Spreadsheet	Highly Confidential	PromptWorks0000673	PromptWorks0000673	Lack of Foundation (Rule 901)	Foundation to be established at trial.	
P-163	Le Tote	4/6/2018	Email from Brett Northart to Dave Hayne and Rakesh Tondon Re: Agenda for next week attaching Le Tote URBN Agenda		URBAN_000003695	URBAN_000003699			

Le Tote, Inc. v. Urban Outfitters, Inc., 2:20-cv-03009

Amended Joint Exhibit List Pursuant to Fed. R. Civ. P. 26(a)(3)(A)(iii)

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
P-164	Le Tote	12/13/2022	Transcript of Expert Deposition of Charles Bowman	Highly Confidential	none	none	Hearsay (Rule 801 and 802) Calls for Legal Conclusion (Rule 703) Inadmissible Expert Testimony (Daubert)	Le Tote presently intends to call Mr. Bowman as a live witness but reserves the right to designate portions of his deposition testimony pursuant to Rule 804(b). The Court has already denied Urban's Motion to exclude the testimony of Mr. Bowman under Daubert. Mr. Bowman wil not be offering any legal conclusions consistent with the Court's ruling.	
P-165	Le Tote	6/22/2022	Transcript of 30(b)(6) Deposition of Rakesh Tondon	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Le Tote presently intends to call Mr. Tondon as a live witness but reserves the right to designate portions of his deposition testimony pursuant to Rule 804(b).	
P-166	Le Tote		Declaration of C. Bowman		none	none	Insufficient description; all rights reserved Hearsay (Rule 801 and 802) Inadmissible Expert Testimony (Daubert)	Le Tote presently intends to call Mr. Bowman as a live witness but reserves the right to designate portions of his deposition testimony pursuant to Rule 804(b). The Court has already denied Urban's Motion to exclude the testimony of Mr. Bowman under Daubert. Mr. Bowman wil not be offering any legal conclusions consistent with the Court's ruling.	
P-167	Le Tote	6/9/2022	Transcript of Deposition of Brett Northart	Highly Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Le Tote presently intends to call Mr. Northart as a live witness but reserves the right to designate portions of his deposition testimony pursuant to Rule 804(b).	
P-168	Le Tote	6/28/2022	Transcript of Deposition of Chloe Thompson	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Prior statement of witness (Rule 801(d))	
P-169	Le Tote	6/30/2022	Transcript of Deposition of Frank Conforti	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-170	Le Tote	4/26/2018	Email from Miran Ahmad to Melanie Marein-Efron, Chloe Thompson, Grace Liu, and Kaity Miller re: Thermal - New Uploads and Q&A Attached		URBAN_000003483	URBAN_000003487	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	CORRECTED
P-171	Le Tote	4/18/2018	Email from Kaity Miller to Chloe Thompson Fwd: Due Diligence List from URBN attaching URBN Project Thermal Due Diligence List_v6 and URBN Project Thermal Due Diligence List_v6_High Priority		URBAN_000003620	URBAN_000003633	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	CORRECTED
P-172	Le Tote	4/20/2018	Email from Melanie Marein-Efron to Chloe Thompson, Kaity Miller, and Frank Conforti Fwd: Due Diligence List from URBN		URBAN_000003685	URBAN_000003686	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	CORRECTED
P-173	Le Tote	4/24/2018	Email from Melanie Marein-Efron to Grace Liu and Chloe Thompson FW: Follow Up Financial Questions		URBAN_000003843	URBAN_000003845	Hearsay (Rule 801 and 802)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	CORRECTED
P-174	Le Tote	4/17/2018	Email from Rakesh Tondon to Dave Hayne and Brett Northart Re: Scaling Exercise		URBAN_000003920	URBAN_000003921			CORRECTED
P-175	Le Tote	4/24/2018	Email from Rakesh Tondon to Dave Hayne, Brett Northart, and Frank Conforti Re: Friday call		URBAN_000003987	URBAN_000003987			
P-176	Le Tote	4/12/2018	Email from Rakesh Tondon to Dave Hayne, Brett Northart, and Melanie Marein-Efron Re: USPS rates		URBAN_000004050	URBAN_000004050			
P-177	Le Tote	4/13/2018	Email from Rakesh Tondon to Dave Hayne, Frank Conforti, and Miran Ahmad re: Shipping rate matrix for Le Tote		URBAN_000004427	URBAN_000004427			
P-178	Le Tote	4/26/2018	Email from Grace Liu to Kaity Miller re: THERMAL QUESTIONS attaching THERMAL QUESTIONS		URBAN_000005016	URBAN_0000050121	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	CORRECTED
P-179	Le Tote	4/18/2018	Email from Melanie Marein-Efron to Miran Ahmad, James Tagliani, Rakesh Tondon, Brett Northart, Frank Conforti, and Kaity Miller re: Due Diligence List from URBN attaching URBN Project Thermal Due Diligence List_v6 and URBN Project Thermal Due Diligence List_v6_High Priority		URBAN_000005247	URBAN_000005259			CORRECTED
P-180	Le Tote	4/27/2018	Email from Brett Northart to Dave Hayne, Frank Conforti, and Rakesh Tondon re: Questions re: customer service follow up		URBAN_000005265	URBAN_000005266			

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
P-181	Le Tote	4/16/2018	Email from Dave Hayne to Calvin Hollinger, John Devine, Rob Frieman, Chris Hunter, Steve Festa, Joe Stratter, Frank Conforti, and Azeez Hayne Fwd: Infrastructure Security Follow up attaching Infrastructure Security		URBAN_000019221	URBAN_000019224			
P-182	Le Tote	7/12/2022	Transcript of Deposition of Joe Stratter	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-183	Le Tote	6/23/2022	Transcript of Deposition of Rakesh Tondon	Highly Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Le Tote presently intends to call Mr. Tondon as a live witness but reserves the right to designate portions of his deposition testimony pursuant to Rule 804(b).	
P-184	Le Tote	4/28/2018	Email re: Updates to Thermal Standalone Model		URBAN_000004705	URBAN_000004708	Hearsay (Rule 801 and 802)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)).	ATTACHMENT (URBAN_000004708) IS AN EXCEL SPREADSHEET THAT CANNOT BE PRINTED
P-185	Le Tote	4/6/2018	Email re: "Le Tote URBN Agenda"		URBAN_000005001	URBAN_000005002			CORRECTED
P-186	Le Tote	5/31/2018	URBN Subscription Model Spreadsheet v4		URBAN_000006189	URBAN_000006192	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.Foundation to be established at trial.	ATTACHMENT (URBAN_000006189) IS AN EXCEL SPREADSHEET THAT CANNOT BE PRINTED
P-187	Le Tote	6/10/2022	Transcript of Deposition of Kim Gallagher	Highly Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-188	Le Tote		URBN Subscription Model Spreadsheet v2		URBAN_000003798	URBAN_000003800	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	ATTACHMENT (URBAN_000003800) IS AN EXCEL SPREADSHEET THAT CANNOT BE PRINTED.
P-189	Le Tote	6/27/2022	Transcript of 30(b)(6) Deposition of Dave Hayne	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-190	Le Tote		Email from Caastle to Urban	Highly Confidential	Caastle000001	Caastle000002	Incomplete (106) Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Prejudice, Confusion (Rule 403) Impermissible Character Evidence (Rule 404)	Part of statement to be introduced to make complete not identified. Relevant to Urban state of mind. Not offered for the truth of the matter. Rule 404 does not apply to corporations. Foundation to be established at trial.	
P-191	Le Tote	4/16/2018	Email from Brett Northart to Dave Hayne, Charlie Bowman, Jenn Grasso, and Rakesh Tondon re: Le Tote tech deck attaching Le Tote Technology Overview		URBAN_000003293	URBAN_000003293			Attachment is P-001
P-192	Le Tote	4/16/2018	Email from Brett Northart to Dave Hayne, Charlie Bowman, Jenn Grasso, and Rakesh Tondon re: Le Tote tech deck attaching Le Tote Product Roadmap		URBAN_000003539	URBAN_000003539			Attachment is J-004
P-193	Le Tote	4/16/2018	Email from Brett Northart to Dave Hayne, Charlie Bowman, Rakesh Tondon, and Jenn Grasso re: Infrastructure Security follow up attaching Infrastructure Security		URBAN_000003594	URBAN_000003595			Attachment is P-181 at URBAN_000019222
P-194	Le Tote	4/17/2018	Email from John Devine to Dave Hayne FW: LT tech eval attaching Focus Items for visit and Le Tote Diligence		URBAN_000003901	URBAN_000003905	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-195	Le Tote	4/13/2018	Email from Brett Northart to Dave Hayne and Rakesh Tondon Re: Deeper Tech Call		URBAN_000004123	URBAN_000004123			
P-196	Le Tote	4/19/2018	Email from Rakesh Tondon to Dave Hayne and Brett Northart Re: Visit next week		URBAN_000003286	URBAN_000003290	Incomplete (106)	Part of statement to be introduced to make complete not identified.	CORRECTED

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
P-197	Le Tote	12/22/2022	Transcript of Expert Deposition of Stephen Hopper	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-198	Le Tote	10/16/2020	Disclosure Schedule to APA	Confidential	none	none			
P-199	Le Tote	3/25/2018	Email from Joe Sperlunto to John Devine, Rob Frieman, Mike Sparks, Alex Donaldson, Christian Sylvester, Calvin Hollinger, Paul Reigel, Joe Stratter, Dave Hayne, Kim Gallagher, David Kershaw, and Steve Festa RE: Subscription flow walkthrough attaching subscription V3 and subscription Notes V4		URBAN_000007654	URBAN_000007663	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-200	Le Tote	3/28/2018	Email from Joe Sperlunto to John Devine, Rob Frieman, Mike Sparks, Alex Donaldson, Christen Sylvester, Calvin Hollinger, Paul Reigel, Joe Stratter, Dave Hayne, Kim Gallagher, David Kershaw, and Steve Festa RE: Subscription flow walkthrough attaching subscription V3		URBAN_000007644	URBAN_000007653	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-201	Le Tote	7/7/2022	Transcript of Deposition of Chirag Dadia	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-202	Le Tote		First Reference to RFID (Jefferies slide deck re: Le Tote)		URBAN_000004602	URBAN_000004644	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	Corrected transcription error in Urban's objections
P-203	Le Tote	11/8/2021	Urban's Responses to Le Tote's First Set of RPDs		none	none			
P-204	Le Tote		LeTote Jefferies Slide Deck	Highly Confidential	GoldmanSachs_000001	GoldmanSachs_000039	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Records of a Regularly Conducted Activity (Rule 803(6)). Foundation to be established at trial.	
P-205	Le Tote		LeTote Active Customer Counts 2015, 2016, and 2017	Highly Confidential	GoldmanSachs_000026	GoldmanSachs_000026	Incomplete (Rule 106) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Part of statement to be introduced to make complete not identified. Records of a Regularly Conducted Activity (Rule 803(6)). Foundation to be established at trial.	
P-206	Le Tote		Le Tote Management 2015 and 2016 Financial Statements		LeTote_009392	LeTote_009392			
P-207	Le Tote		Le Tote Management 2014 Financial Statement		LeTote_015835	LeTote_015835			
P-208	Le Tote		Le Tote Management 2017 and 2018 Financial Statements		LeTote_016113	LeTote_016113			
P-209	Le Tote	19-Jul-22	Nuuly Warehouse Photograph of Clothing with "Missing Accessory" and "Finishing" Pouches on Racks		LeTote_057720	LeTote_057720	Relevance (Rule 402) Lack of Foundation (Rule 901)	Exhibit is relevant to demonstrating similarities between informaiton provided by Le Tote and Urban's systems. Foundation to be established at trial.	
P-210	Le Tote		Confluent Article Titled "Nuuly Completes Flawless Launch of Its New Clothing Rental Subscription Service with Confluent Cloud"		LeTote057560	LeTote057562	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Not offered for the truth of the matter asserted. Foundation to be established at trial.	
P-211	Le Tote		Confluent "5 Event Streaming Use Cases That Transform Business"		LeTote057588	LeTote057595	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Not offered for the truth of the matter asserted. Foundation to be established at trial.	
P-212	Le Tote	8/1/2018	"The Six Steps of Bespoke Software Development" by Emma Yemm	none	none	none	Insufficient description; all rights reserved	Cited in summary judgment motion.	
P-213	Le Tote	12/13/2021	"The 7 Steps of the Bespoke Software Development Process" by Matt Hicks	none	none	none	Insufficient description; all rights reserved	Cited in summary judgment motion.	
P-214	Le Tote	5/19/2022	"7 Steps of a Bespoke Software Development Process" by Clever Software Group	none	none	none	Relevance (Rule 402) Insufficient description; all rights reserved	Cited in summary judgment motion.	
P-215	Le Tote	6/10/2022	Transcript of Deposition of James Tagliani	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Le Tote has not designated any portions of Mr. Tagliani's deposition other than as counter-designations.	

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
P-216	Le Tote	6/14/2022	Transcript of Deposition of Shyam Sundar	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Le Tote has not designated any portions of Mr. Sundar's deposition other than as counter-designations.	
P-217	Le Tote	6/16/2022	Transcript of Deposition of Ruth Hartman	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Le Tote presently intends to call Ms. Hartman as a live witness but reserves the right to designate portions of his deposition testimony pursuant to Rule 804(b).	
P-218	Le Tote	6/17/2022	Transcript of Deposition of Melanie Marein-Efron	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-219	Le Tote	6/30/2022	Transcript of 30(b)(6) Deposition of Frank Conforti	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-220	Le Tote	7/14/2022	Transcript of Deposition of Calvin Hollinger	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Exception to hearsay due to witness unavailability (Rulle 804(b)(1))	
P-221	Le Tote	7/18/2022	Transcript of 30(b)(6) Deposition of Alan Rosenwinkel	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-222	Le Tote	7/18/2022	Transcript of Deposition of Alan Rosenwinkel	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-223	Le Tote	7/20/2022	Transcript of 30(b)(6) Deposition of Melanie Marein-Efron	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-224	Le Tote	9/12/2022	Curriculum Vitae of Ian Ratner	Confidential	none	none			
P-225	Le Tote	9/12/2022	Curriculum Vitae of Charles Bowman	Confidential	none	none			
P-226	Le Tote	9/20/2022	Transcript of 30(b)(6) Deposition of Joe Stratter	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-227	Le Tote	11/14/2022	Transcript of Deposition of Ed Kremer	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Le Tote has not designated any portions of Mr. Kremer's deposition other than as counter-designations.	
P-228	Le Tote	12/16/2022	Transcript of Expert Deposition of Ian Ratner	Confidential	none	none	Hearsay (Rule 801 and 802) Inadmissible Expert Testimony (Daubert)	Le Tote presently intends to call Mr. Ratner as a live witness but reserves the right to designate portions of his deposition testimony pursuant to Rule 804(b).	
P-229	Le Tote	1/5/2023	Transcript of Expert Deposition of Carlyn Irwin	Confidential	none	none	Hearsay (Rule 801 and 802) Urban objections as stated during deposition	Opposing party's statement does not qualify as hearsay (Rule 801(d)(2))	
P-230	Le Tote	3/24/2023	"Urban Outfitters Wants To Turn Its Clothing-Rental Company Into 'A Billion Dollar-Plus Brand'" by Katie Krzaczek	none	none	none	Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Not offered for truth of the matter asserted. Foundation to be established at trial.	
P-231	Le Tote	4/3/2023	2023 SEC Form 10-K Filing of Urban Outfitters	none	none	none			

**Le Tote, Inc. v. Urban Outfitters, Inc., 2:20-cv-03009**  
**Amended Joint Exhibit List Pursuant to Fed. R. Civ. P. 26(a)(3)(A)(iii)**

<b>Trial Ex.</b>	<b>Party Offering Proposed Exhibit</b>	<b>Date</b>	<b>Description</b>	<b>Confidentiality</b>	<b>Bates Begin</b>	<b>Bates End</b>	<b>Objection(s)</b>	<b>Counter-Objection(s)</b>	<b>Notes</b>
P-232	Le Tote		2024 SEC Form 10-K Filing of Urban Outfitters	none	none	none	Relevance (Rule 402) Lack of Foundation (Rule 901) Premature - Document does not exist/has not been generated	TBD	
P-233	Le Tote	6/9/2023	SEC Form 10-Q Filing of Urban Outfitters, Inc. for Q1-2024	none	none	none			
P-234	Le Tote	9/11/2023	SEC Form 10-Q Filing of Urban Outfitters, Inc. for Q2-2024	none	none	none	Relevance (Rule 402) Lack of Foundation (Rule 901)	TBD	
P-235	Le Tote	12/11/2023	SEC Form 10-Q Filing of Urban Outfitters, Inc. for Q3-2024	none	none	none	Relevance (Rule 402) Lack of Foundation (Rule 901)	TBD	
P-236	Le Tote	3/3/2020	Q4 2020 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-237	Le Tote	5/25/2021	Q1 2022 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-238	Le Tote	8/24/2021	Q2 2022 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-239	Le Tote	11/22/2021	Q3 2022 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-240	Le Tote	3/1/2022	Q4 2022 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-241	Le Tote	5/24/2022	Q1 2023 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-242	Le Tote	8/23/2022	Q2 2023 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	



Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
P-243	Le Tote	11/21/2022	Q3 2023 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-244	Le Tote	2/28/2023	Q4 2023 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-245	Le Tote	5/23/2023	Q1 2024 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901)	Relevant to damages. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Foundation to be established at trial.	
P-246	Le Tote		Q2 2024 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Lack of Foundation (Rule 901)	TBD	
P-247	Le Tote		Q3 2024 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Lack of Foundation (Rule 901)	TBD	
P-248	Le Tote		Q4 2024 Urban Outfitters, Inc. Earnings Call Transcript, Results, and Commentary	none	none	none	Relevance (Rule 402) Lack of Foundation (Rule 901)	TBD	
P-249	Le Tote	9/12/2022	Expert Report of Ian Ratner, CPA/ABV, ASA, CFE	Confidential	none	none	Inadmissible Expert Testimony (Daubert)	Insufficient basis to respond.	
P-250	Le Tote	9/12/2022	Expert Report of Charles Bowman	Confidential	none	none	Calls for Legal Conclusion (Rule 703) Inadmissible Expert Testimony (Daubert)	The Court has already denied Urban's Motion to exclude the testimony of Mr. Bowman under Daubert. Mr. Bowman wil not be offering any legal conclusions consistent with the Court's ruling.	
P-251	Le Tote		Caastle + Anthropologie: Status Update		URBAN_000007891	URBAN_000007908			
P-252	Le Tote	7/11/2019	Email from Azeez Hayne to Tim Hirsch Re: Urban Outfitters' Launch of Nuuly Subscription Service		URBAN_000015679	URBAN_000015683	Relevance (Rule 402) Hearsay (Rule 801 and 802) Lack of Foundation (Rule 901) Prejudice, Confusion (Rule 403) Impermissible Character Evidence (Rule 404)	Relevant to Urban's state of mind. Opposing party's statement does not qualify as hearsay (Rule 801(d)(2)). Objection as to prejudice and confusion is without any basis. Rule 404 does not apply to corporations.	
P-253	Le Tote		Nuuly 2021 Fiscal Year Income Statement Summary	Highly Confidential	URBAN_000019041	URBAN_000019041			
P-254	Le Tote	none	Warehouse Management Flow Chart		none	none			
P-255	Le Tote	3/28/2024	Updated Summary of Certain Metrics from Nuuly's Historical Income Statements		none	none			
P-256	Le Tote	4/26/2018	Email from Brett Northart to Dave Hayne and Frank Conforti, cc Rakesh Tondon Re: Scaling to 1mm attaching URBN Scale to 1mm		URBAN_000004335	URBAN_000004355			
P-257	Le Tote	none	Closing Slide Deck		none	none	Objections reserved pending exchange of closing slide decks		
P-258	Le Tote	4/13/2018	Email from Brett Northart to Charlie Bowman and Rakesh Tondon Fwd: Re: Deeper Tech Call		LeTote_000008219	LeTote_000008219			

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-1	Urban		Strapless Inc DBA Le Tote Profit and Loss 2013 - 2014		LeTote_016693	LeTote_016693	Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. •Le Tote's financial records are admissible both as a business record and party admission relevant to the issue of Le Tote's financial health and the parties' negotiations. Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.	
D-2	Urban	4/2/2018	2018 SEC Form 10-K Filing of Urban Outfitters	none	none	none			
D-3	Urban	6/11/2018	SEC Form 10-Q Filing of Urban Outfitters for the Quarterly Period Ended April 30, 2018	none	none	none			
D-4	Urban	6/30/2020	SEC Form 10-Q Filing of Urban Outfitters for the Quarterly Period Ended April 30, 2020	none	none	none			
D-5	Urban	9/9/2020	SEC Form 10-Q Filing of Urban Outfitters for the Quarterly Period Ended July 31, 2020	none	none	none			
D-6	Urban	12/10/2020	SEC Form 10-Q Filing of Urban Outfitters for the Quarterly Period Ended October 31, 2020	none	none	none			
D-7	Urban	12/10/2021	SEC Form 10-Q Filing of Urban Outfitters for the Quarterly Period Ended October 31, 2021	none	none	none			
D-8	Urban	6/9/2022	SEC Form 10-Q Filing of Urban Outfitters for the Quarterly Period Ended April 30, 2022	none	none	none			
D-9	Urban	9/9/2022	SEC Form 10-Q Filing of Urban Outfitters for the Quarterly Period Ended July 31, 2022	none	none	none			
D-10	Urban	4/20/2018	Email from Rakesh Tondon to Ali Wasti, Bill Malloy III, Brett Northart, Brian Nugent, Clement Tang, Dave Atchison, John Trbovich, Mike Kwatinetz, and James Tagliani re: Fundraising and Strategic Process Update		LeTote_019537	LeTote_019538	Relevance (Rule 401) <i>as to information regarding any other potential investor besides Urban</i>		
D-11	Urban	5/4/2018	Email from Frank Conforti to Dave Hayne and Rakesh Tondon re: Call Le Tote		URBAN_000006640	URBAN_000006640			
D-12	Urban	September 2019	Project French Revolution Presentation		LeTote_000661	LeTote_000717	Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. •This document is relevant to Le Tote's damages claims. •To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.	
D-13	Urban	5/5/2018	Email from James Tagliani to Rakesh Tondon re: Model		LeTote_026544	LeTote_026546	Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. •This document is relevant to Le Tote's damages claims. •Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages. •To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.	CORRECTED

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-14	Urban	11/26/2018	Email from James Tagliani to Sara Lynn Malott re: RIF Timeline		LeTote_025791	LeTote_025791	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li><li>•To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.</li></ul>	
D-15	Urban		Reduction in Force Timeline		LeTote_025792	LeTote_025792	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li><li>•To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.</li></ul>	
D-16	Urban	4/13/2018	Email from Jenn Grasso to Shyam Sundar re: Fwd: Re: Deeper Tech Call		LeTote_008463	LeTote_008463			
D-17	Urban	4/15/2018	Email from Brett Northart to Dave Hayne, Charlie Bowman, Jenn Grasso, and Rakesh Tondon re: Le Tote Tech Deck		LeTote_008221	LeTote_008245			
D-18	Urban	March 27-28, 2018	Le Tote Visit Agenda		LeTote_008202	LeTote_008203			
D-19	Urban	4/6/2018	Email from Brett Northart to Miran Ahmad, Jana, James Tagliani, Ruth Hartman, Nick Fairbaim, Charlie Bowman, Rakesh Tondon		LeTote_005458	LeTote_005458			
D-20	Urban	April 10-11, 2018	Le Tote + Urban Whiteboarding Agenda		LeTote_005459	LeTote_005461			
D-21	Urban	1/29/2019	Email from Rakesh Tondon to Charlie Bowman and Brett Northart re: Docs for L&T		LeTote_018586	LeTote_018630	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's claims that Urban's diligence requests were exorbitant and/or not made in good faith.</li></ul>	CORRECTED
D-22	Urban	5/6/2018	Email from Rakesh Tondon to Bill Malloy III, Brian Nugent, Brett Northart, Mike Kwatinetz, Dave Atchison, James Tagliani, John Trbovich, and Clement Tang re: Le Tote - Next Steps (Cost Cutting & Strategic Options)		LeTote_020069	LeTote_020069	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li><li>•To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.</li></ul>	

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-23	Urban		Revenue Reports		LeTote_020070	LeTote_020070	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li><li>•To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.</li></ul>	
D-24	Urban		Le Tote Board Presentation		LeTote_020071	LeTote_020085	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li><li>•To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.</li></ul>	
D-25	Urban	5/14/2018	Email from Rakesh Tondon to Rachel Hassas re: Checking-In		LeTote_028041	LeTote_028042	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li><li>•To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.</li></ul>	
D-26	Urban	8/30/2020	Global Notes and Statement of Limitations, Methodology, and Disclaimers Regarding the Debtors' Schedules of Assets and Liabilities and Statements of Financial Affairs filed in <i>In re Le Tote, Inc. et al.</i> , No. 20-33332-KLP (Bankr. E.D. Va.) at ECF No. 273	none	none	none	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This order is relevant to the question of ownership of Le Tote's alleged trade secrets, an essential element of its statutory claims.</li></ul>	

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-27	Urban	5/8/2018	Email from Rakesh Tondon to Bill Malloy III, Brian Nugent, Brett Northart, James Tagliani, Mike Kwatinetz, Dave Atchison, and John Trbovich re: Le Tote - Analysis and Recommendation for Board		LeTote_055002	LeTote_055010	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li><li>•To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.</li></ul>	
D-28	Urban	1/29/2018	Email from Rakesh Tondon to Joshua Tanzer, Brett Northart, Amy Cozamanis, Sreene Ranganathan, Joachim Over, Brian Thom, Payam Vadi, Miran Ahmad, and Armin Kohan re: Project Thermal Process Tracker		LeTote_022745	LeTote_022750	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li></ul>	
D-29	Urban	8/2/2020	Declaration of Ed Kremer, Chief Restructuring Officer of Le Tote, Inc. filed in <i>In re Le Tote, Inc. et al.</i> , No. 20-33332-KLP (Bankr. E.D. Va.) at ECF No. 15	none	none	none	Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401.</li><li>•This document is relevant to Le Tote's damages claims.</li><li>•Le Tote has questioned whether Urban's negotiations were in good faith. This and other financial records of Le Tote are relevant to Le Tote's claims for exemplary damages.</li><li>•To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.</li></ul>	

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-30	Urban	5/10/2016	YouTube video titled “Le Tote Warehouse Tour – Part 1,” available at <a href="https://www.youtube.com/watch?v=KhaZadQWVAs">https://www.youtube.com/watch?v=KhaZadQWVAs</a>	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Comments by Le Tote representatives depicted in this video qualify as an exception to the rule against hearsay. FRE 801(d) (Exception for Admission by a Party-Opponent).</li><li>•The rule against hearsay does not apply because this video is not being introduced to prove the truth of the matter asserted. Rather this video is evidence that Le Tote's processes and technologies over which it now seeks trade secret protection were not kept secret.</li><li>•A proper foundation will be laid at trial.</li><li>•The attached download investigator information provides sufficient proof that the video Urban seeks to introduce into evidence is an identical copy of the original which was posted publicly online.</li><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This video is relevant to among other things, the measures Le Tote took to preserve the secrecy of its alleged trade secrets.</li></ul>	
D-31	Urban	9/15/2022	YouTube Video Download Investigator Information for YouTube video titled “Le Tote Warehouse Tour – Part 1”	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Comments by Le Tote representatives depicted in this video qualify as an exception to the rule against hearsay. FRE 801(d) (Exception for Admission by a Party-Opponent).</li><li>•The rule against hearsay does not apply because this video is not being introduced to prove the truth of the matter asserted. Rather this video is evidence that Le Tote's processes and technologies over which it now seeks trade secret protection were not kept secret.</li><li>•A proper foundation will be laid at trial.</li><li>•The attached download investigator information provides sufficient proof that the video Urban seeks to introduce into evidence is an identical copy of the original which was posted publicly online.</li><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This video is relevant to among other things, the measures Le Tote took to preserve the secrecy of its alleged trade secrets.</li></ul>	



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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-32	Urban	5/10/2016	YouTube video titled “Le Tote Warehouse Tour – Part 3,” available at <a href="https://www.youtube.com/watch?v=hkzQuYfud1E">https://www.youtube.com/watch?v=hkzQuYfud1E</a>	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Comments by Le Tote representatives depicted in this video qualify as an exception to the rule against hearsay. FRE 801(d) (Exception for Admission by a Party-Opponent).</li><li>•The rule against hearsay does not apply because this video is not being introduced to prove the truth of the matter asserted. Rather this video is evidence that Le Tote's processes and technologies over which it now seeks trade secret protection were not kept secret.</li><li>•A proper foundation will be laid at trial.</li><li>•The attached download investigator information provides sufficient proof that the video Urban seeks to introduce into evidence is an identical copy of the original which was posted publicly online.</li><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This video is relevant to among other things, the measures Le Tote took to preserve the secrecy of its alleged trade secrets.</li></ul>	
D-33	Urban	9/15/2022	YouTube Video Download Investigator Information for YouTube video titled “Le Tote Warehouse Tour – Part 3”	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Comments by Le Tote representatives depicted in this video qualify as an exception to the rule against hearsay. FRE 801(d) (Exception for Admission by a Party-Opponent).</li><li>•The rule against hearsay does not apply because this video is not being introduced to prove the truth of the matter asserted. Rather this video is evidence that Le Tote's processes and technologies over which it now seeks trade secret protection were not kept secret.</li><li>•A proper foundation will be laid at trial.</li><li>•The attached download investigator information provides sufficient proof that the video Urban seeks to introduce into evidence is an identical copy of the original which was posted publicly online.</li><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This video is relevant to among other things, the measures Le Tote took to preserve the secrecy of its alleged trade secrets.</li></ul>	

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-34	Urban	5/10/2016	YouTube video titled “Le Tote Warehouse Tour – Part 2,” available at <a href="https://www.youtube.com/watch?v=rwXV3ugcVp4">https://www.youtube.com/watch?v=rwXV3ugcVp4</a>	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Comments by Le Tote representatives depicted in this video qualify as an exception to the rule against hearsay. FRE 801(d) (Exception for Admission by a Party-Opponent).</li><li>•The rule against hearsay does not apply because this video is not being introduced to prove the truth of the matter asserted. Rather this video is evidence that Le Tote’s processes and technologies over which it now seeks trade secret protection were not kept secret.</li><li>•A proper foundation will be laid at trial.</li><li>•The attached download investigator information provides sufficient proof that the video Urban seeks to introduce into evidence is an identical copy of the original which was posted publicly online.</li><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This video is relevant to among other things, the measures Le Tote took to preserve the secrecy of its alleged trade secrets.</li></ul>	
D-35	Urban	9/15/2022	YouTube Video Download Investigator Information for YouTube video titled “Le Tote Warehouse Tour – Part 2”	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Comments by Le Tote representatives depicted in this video qualify as an exception to the rule against hearsay. FRE 801(d) (Exception for Admission by a Party-Opponent).</li><li>•The rule against hearsay does not apply because this video is not being introduced to prove the truth of the matter asserted. Rather this video is evidence that Le Tote’s processes and technologies over which it now seeks trade secret protection were not kept secret.</li><li>•A proper foundation will be laid at trial.</li><li>•The attached download investigator information provides sufficient proof that the video Urban seeks to introduce into evidence is an identical copy of the original which was posted publicly online.</li><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This video is relevant to among other things, the measures Le Tote took to preserve the secrecy of its alleged trade secrets.</li></ul>	
D-36	Urban	3/21/2018	Email from David Hayne to Joe Stratter Fwd: Record interview - Jen Hyman		URBAN_0000004658	URBAN_0000004659	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	<ul style="list-style-type: none"><li>•Evidence which is not introduced to prove the truth of the matter asserted is not hearsay. This document is evidence of some of the independent research Urban did into the fashion rental industry.</li><li>•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. Urban’s independent research is relevant to Le Tote’s claims of misuse.</li><li>•Proper foundation will be established at trial.</li></ul>	

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-37	Urban	5/21/2018	Email from Melanie Marein Efron to Melinda Deters, Kellen Wadach, Josiah Nedd, Dave Hayne, Joe Stratter re: Background on Rental Including Views of processing facilities		URBAN_0000005837	URBAN_0000005837	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Evidence which is not introduced to prove the truth of the matter asserted is not hearsay. This document is both evidence of the public availability of Le Tote's processes online and Urban's knowledge of YouTube videos depicting Le Tote's processes/independent research of the industry. •Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. Urban's independent research is relevant to Le Tote's claims of misuse. •Proper foundation will be established at trial.	
D-38	Urban	7/15/2022	Project Thermal Subpoena Response	Highly Confidential	DataSite_000001	DataSite_000002	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	Document explains the scope and provides clarity with regard to D-39, to which Le Tote has not objected.	
D-39	Urban	8/1/2018	External User List Report	Highly Confidential	DataSite_000014	DataSite_000014			
D-40	Urban	4/23/2018	Preliminary Valuation Materials - Project Thermal	Highly Confidential	GoldmanSachs_00042	GoldmanSachs_00081			
D-41	Urban	3/29/2018	Email from Rakesh Tondon to Joachim Over, Armin Kohan, Brett Northart, Brian Thom, Cameron Lester, Miran Ahmad, Sreene Ranganathan re: Urban		LeTote_018929	LeTote_018929			
D-42	Urban		Architecture Diagram	Highly Confidential - Attorneys' Eyes Only	PromptWorks0000475	PromptWorks0000475	Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002)	•Proper authentication and foundation will be established at trial.	
D-43	Urban	6/25/2019	Email from Hannah Hamilton to Jordan Deodato, Kimberly Gallagher, Kelley Martin re: Quick Check-In		URBAN_000009429	URBAN_000009431	Relevance (Rule 401); Hearsay (Rule 802)	•The document is not being introduced to prove the truth of the matter asserted and thus is not hearsay. Rather, it is evidence of Nuuly's reliance upon third-party consultants to develop and launch Nuuly, which is directly relevant to addressing Le Tote's allegations of an alleged head start.	
D-44	Urban		Marketing Launch Timeline		URBAN_000009432	URBAN_000009432			
D-45	Urban	7/29/2019	Email from David Hayne to Richard Hayne, Margaret Hayne, Francis Conforti, Calvin Hollinger, Azeez Hayne, Melanie Marein-Efron, Susan Kuhn, Trish Donnelly, Hillary Super, Keith Spirgel, Denise Albright, Sheila Harrington, Omar Tover, John Ziel, Barbara Rozsas, Matt Strode, John Devine, Demosthenes Lymberopoulos, Stefan Laban, Sam Aqua, Krissy Meehan-Mashinsky re: Nuuly Launch Update		URBAN_000015653	URBAN_000015654			
D-46	Urban		Launch Story Cadence		URBAN_000015655	URBAN_000015655	Relevance (Rule 401); Hearsay (Rule 802)	•Urban's business records are an exception to the rule against hearsay. •Document is relevant to Urban's timeline to develop and launch Nuuly.	
D-47	Urban	5/21/2019	Nuuly May Press Release: URBN Launches Nuuly, A Subscription Rental Service for Womens' Apparel		URBAN_000018464	URBAN_000018467	Relevance (Rule 401); Hearsay (Rule 802)	•Urban's business records are an exception to the rule against hearsay. •Document is relevant to Urban's timeline to develop and launch Nuuly.	
D-48	Urban	11/18/2021	Urban's First Set of Interrogatories to Le Tote	none	none	none	Relevance (Rule 401)	•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. •Document is relevant to the scope of Le Tote's discovery responses pertaining to its claimed trade secrets.	
D-49	Urban	12/20/2021	Le Tote's Responses and Objections to Urban's First Set of Interrogatories	none	none	none			
D-50	Urban	3/31/2022	Le Tote's Supplemental Responses to Urban's First Set of Interrogatories with Verification of R. Tondon	none	none	none			

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-51	Urban	5/13/2022	Urban’s Second Set of Interrogatories to Le Tote	none	none	none	Relevance (Rule 401)	•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. •Document is relevant to the scope of Le Tote’s discovery responses pertaining to its claimed trade secrets.	
D-52	Urban	6/6/2022	Le Tote’s Responses to Urban’s Second Set of Interrogatories with Verification of R. Tondon	none	none	none			
D-53	Urban	11/30/2022	Expert Rebuttal Report of Stephen T. Hopper, P.E.	Confidential	none	none	Hearsay (Rules 801,802 and 805)	The Expert Rebuttal Report of Stephen T. Hopper, P.E. shows sufficient indicia of trustworthiness to be admitted as reliable hearsay, and would assist the trier of fact in understanding industry standards/knowledge of Le Tote’s alleged trade secrets.	
D-54	Urban	11/30/2022	Expert Rebuttal Report of Carlyn Irwin	Highly Confidential - Attorneys’ Eyes Only	none	none	Hearsay (Rules 801,802 and 805)	The Expert Rebuttal Report of Carlyn Irwin shows sufficient indicia of trustworthiness to be admitted as reliable hearsay, and would assist the trier of fact in understanding Le Tote’s damages claims.	
D-55	Urban	2005	“Streamline Warehouse Operations: On-Demand,” Deposco	Confidential	HOPPER_000001	HOPPER_000002	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Statements in learned treatises, periodicals, or pamphlets relied upon by an expert witness and established as a reliable authority are an exception to the rule against hearsay. FRE 803(18). •Proper foundation will be laid at trial. •Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This, and other treatises and pamphlets relied upon by Urban’s expert, are relevant to, among other things, whether the technologies and processes over which Le Tote claims trade secret protection were widely known throughout the warehousing industry.	
D-56	Urban	2022	Non-Nuuly Brands Returns Data and Nuuly Returns Data	Confidential	HOPPER_000003	HOPPER_000004	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Urban’s business records are an exception to the rule against hearsay. •Proper foundation will be established at trial. •Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This data is relevant to the question of Urban’s experience processing returns, prior to and apart from any discussions with Le Tote.	
D-57	Urban	3/12/2003	“The 2003 Global Warehouse Management Magic Quadrant,” Gartner	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote’s reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-58	Urban	1998	Arnold Maltz, PhD, The Changing Role of Warehousing, WERC	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote’s reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-59	Urban	2014	Gwynne Richards, Warehouse Management, Second Edition, KoganPage	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote’s reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-60	Urban	10/23/2014	“How to Create the Optimal Short Range UHF RFID System,” atlasRFIDstore	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-61	Urban	7/5/2011	“Hugo Boss Steps Up Efficiency with RFID,” Logistics Manager	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Statements in learned treatises, periodicals, or pamphlets relied upon by an expert witness and established as a reliable authority are an exception to the rule against hearsay. FRE 803(18). •Proper foundation will be laid at trial. •Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This, and other treatises and pamphlets relied upon by Urban's expert, are relevant to, among other things, whether the technologies and processes over which Le Tote claims trade secret protection were widely known throughout the warehousing industry.	
D-62	Urban	11/28/2017	Ian Banks and Julia Koskella (Editors), A New Textiles Economy: Redesigning Fashion's Future, The Ellen Macarthur Foundation	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Statements in learned treatises, periodicals, or pamphlets relied upon by an expert witness and established as a reliable authority are an exception to the rule against hearsay. FRE 803(18). •Proper foundation will be laid at trial. •Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This, and other treatises and pamphlets relied upon by Urban's expert, are relevant to, among other things, whether the technologies and processes over which Le Tote claims trade secret protection were widely known throughout the warehousing industry.	
D-63	Urban	8/7/2018	“The Indispensable Role of WMS in Reverse Logistics,” Veridian	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Statements in learned treatises, periodicals, or pamphlets relied upon by an expert witness and established as a reliable authority are an exception to the rule against hearsay. FRE 803(18). •Proper foundation will be laid at trial. •Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This, and other treatises and pamphlets relied upon by Urban's expert, are relevant to, among other things, whether the technologies and processes over which Le Tote claims trade secret protection were widely known throughout the warehousing industry.	
D-64	Urban	2012	“Industrial RFID Enhances Garment Handling,” Pepperl+Fuchs	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Statements in learned treatises, periodicals, or pamphlets relied upon by an expert witness and established as a reliable authority are an exception to the rule against hearsay. FRE 803(18). •Proper foundation will be laid at trial. •Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. This, and other treatises and pamphlets relied upon by Urban's expert, are relevant to, among other things, whether the technologies and processes over which Le Tote claims trade secret protection were widely known throughout the warehousing industry.	

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-65	Urban	2004	James A. Tompkins, PhD, and Dale A. Harmelink (Editors), The Supply Chain Handbook, Tompkins Press	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-66	Urban	1994	James A. Tompkins, PhD, and Dale A. Harmelink (Editors), The Distribution Management Handbook, McGraw-Hill	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-67	Urban	1984	James A. Tompkins, PhD, and John A. White, PhD, Facilities Planning, First Edition, John Wiley & Sons	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-68	Urban	1996	James A. Tompkins, PhD, and John A. White, PhD, Facilities Planning, Second Edition, John Wiley & Sons	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-69	Urban	2004	James R. Stock, Product Returns/Reverse Logistics in Warehousing, WERC	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-70	Urban	2/27/2012	“Magic Quadrant for Warehouse Management Systems,” Gartner	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-71	Urban	1/21/2016	“Magic Quadrant for Warehouse Management Systems,” Gartner	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-72	Urban	2/13/2017	“Magic Quadrant for Warehouse Management Systems,” Gartner	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-73	Urban	5/2/2018	“Magic Quadrant for Warehouse Management Systems,” Gartner	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-74	Urban	4/21/2022	“Returns of Online Purchases by Category in the U.S. in 2022,” Statistica	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-75	Urban	1/10/2017	“WMS in the Cloud Will Go Mainstream in 2017,” Supply Chain Digest	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-76	Urban	5/13/2002	“WMS Magic Quadrant: It's Still a Changing Market,” Gartner	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	



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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-77	Urban	4/22/2000	“The WMS Market: Key Trends for 2000,” Gartner	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-78	Urban	1/20/2016	YouTube video: “Will Plus-Size Wardrobe Rental Disrupt Fashion Industry?” by CBS Mornings, available at <a href="https://www.youtube.com/watch?v=y_Nz2k3K4o4">https://www.youtube.com/watch?v=y_Nz2k3K4o4</a>	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	•Evidence which is not introduced to prove the truth of the matter asserted is not hearsay. This video is evidence that the use of laundry processes, GOH storage, and tracking of garments at the individual garment level, among other systems and processes, were widely known throughout the industry. This video also was part of Urban's independent knowledge base that contributed to its development of Nuuly. •Such knowledge is relevant to determining whether Le Tote's alleged trade secrets are entitled to trade secret protection. •Proper foundation will be established at trial.	
D-79	Urban		“Le Tote leverages AI to fuel personalization and innovation” by Brielle Jaekel, available at <a href="https://www.retaildive.com/ex/mobilecommercedaily/le-tote-leverages-ai-to-fuel-personalization-and-innovation">https://www.retaildive.com/ex/mobilecommercedaily/le-tote-leverages-ai-to-fuel-personalization-and-innovation</a>	none	none	none	Hearsay (Rules 801,802 and 805)	•Document is not being introduced to prove the truth of the matter asserted (i.e., is not hearsay), but rather is evidence regarding Le Tote's lack of secrecy surrounding its alleged trade secrets.	
D-80	Urban	1/1/2017	Soliman, Mohamed, "Combining User-Centered and Persuasive Design for Enhancing Consumer-facing Products," available at <a href="https://www.researchgate.net/publication/327513370_Combining_User-Centered_and_Persuasive_Design_for_Enhancing_Consumer-facing_Products">https://www.researchgate.net/publication/327513370_Combining_User-Centered_and_Persuasive_Design_for_Enhancing_Consumer-facing_Products</a>	none	none	none	Hearsay (Rules 801,802 and 805)	•Document is not being introduced to prove the truth of the matter asserted (i.e., is not hearsay), but rather is evidence regarding Le Tote's lack of secrecy surrounding its alleged trade secrets.	corrected date
D-81	Urban	5/17/2017	“Data powers Le Tote's personalization to keep members, vendors happy” by Jacqueline Renfrow, available at <a href="https://www.fierceretail.com/technology/le-tote-s-data-keeps-members-vendors-happy">https://www.fierceretail.com/technology/le-tote-s-data-keeps-members-vendors-happy</a>	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-82	Urban	2019	"What are fashion rentals and how are they thriving? Le Tote Case Study" by Garance Gilliot, available at <a href="https://dial.uclouvain.be/memoire/ucl/en/object/thesis%3A21089">https://dial.uclouvain.be/memoire/ucl/en/object/thesis%3A21089</a>	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	• Document is not being introduced to prove the truth of the matter asserted (i.e., is not hearsay), but rather is evidence that the same information over which Le Tote claims trade secret protection is easily derived from public sources. •Proper foundation will be established at trial. •Document is relevant to the use/breach element of Le Tote's surviving claims.	
D-83	Urban	4/8/2019	“Introducing CaaStle: Former Gwynnie Bee pushing the retail envelope” by Mary Sterenberg, available at <a href="https://www.columbusceo.com/story/business/2019/04/08/introducing-caastle-former-gwynnie-bee/5431457007/">https://www.columbusceo.com/story/business/2019/04/08/introducing-caastle-former-gwynnie-bee/5431457007/</a>	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	•Document is not being introduced to prove the truth of the matter asserted (i.e., is not hearsay). •Proper foundation will be established at trial. •Document is relevant to whether Le Tote's alleged trade secrets are entitled to trade secret protection.	

Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-84	Urban	8/28/2019	YouTube video: "Today Inside the Booming Business of Clothing Rental" by TODAY, available at <a href="https://www.youtube.com/watch?v=Vax5wLceYl0">https://www.youtube.com/watch?v=Vax5wLceYl0</a>	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	•Evidence which is not introduced to prove the truth of the matter asserted is not hearsay. This video is evidence that the use of laundry processes, GOH storage, and tracking of garments at the individual garment level, among other systems and processes were widely known throughout the industry. •This inquiry is relevant to determining whether Le Tote's alleged trade secrets are entitled to trade secret protection. •Proper foundation will be established at trial.	
D-85	Urban	12/9/2019	Article published by Bloomberg, "You Have Three Years to Save Lord & Taylor. What Do You Do?" by Kim Bhasin and Jordyn Holman	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. •This document is relevant to Le Tote's damages claims. •To the extent Le Tote advances a theory at trial that Urban's conduct contributed to its subsequent bankruptcy filing, this document, Le Tote's acquisition of Lord and Taylor, and its subsequent financial hardship are relevant.	
D-86	Urban	1/13/2020	"The Story of the Nerves Project & What Brought Me to Very" by Justin Schneck, available at <a href="https://www.verypossible.com/iot-insights/the-story-of-the-nerves-project-what-brought-me-to-very">https://www.verypossible.com/iot-insights/the-story-of-the-nerves-project-what-brought-me-to-very</a>	none	none	none	Hearsay (Rules 801, 802 and 805); Lack of Foundation (Rule 901); Authenticity/Requirement of Original (Rule 1002); Relevance; Confusion; Waste of Time (Rules 401 and 403)	•Evidence which is not introduced to prove the truth of the matter asserted is not hearsay. This document is evidence regarding the public availability of the information over which Le Tote has claimed trade secret protection. •This inquiry is relevant to determining whether Le Tote's alleged trade secrets are entitled to trade secret protection. •Proper foundation will be established at trial.	
D-87	Urban	2013	H. Thomas Watson and Karen M. Bray, "Trade Secret Misappropriation Damages, and The Underused 'Head Start' Doctrine Defense," Verdict	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-88	Urban	6/20/2019	Email from Azeez Hayne to group re Bristol Update 6.19		URBAN_000007067	URBAN_000007068			
D-89	Urban	7/7/2019	Email from David Hayne to group re Nuuly Launch Update		URBAN_000007130	URBAN_000007131			
D-90	Urban	5/7/2019	Email from Brian Horton to group re Global Supply Chain SteerCo		URBAN_000007547	URBAN_000007548			
D-91	Urban	5/8/2019	Global Supply Chain Executive Steering Committee Presentation	Highly Confidential	URBAN_000007549	URBAN_000007583			
D-92	Urban	5/11/2022	Notice of Deposition of Le Tote, Inc. pursuant to Federal Rule of Civil Procedure 30(b)(6)	none	none	none	Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. •This document is relevant to the scope of testimony offered by Le Tote's 30(b)(6) witnesses.	
D-93	Urban		Willamette Forensic Analysis Insights	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-94	Urban	2018	The Sedona Conference Journal, "Disputed Issues in Awarding Unjust Enrichment Damages in Trade Secret Cases"	none	none	none	Document not produced; all objections reserved	•Urban was under no obligation to produce publicly available documents, such that Le Tote's reservation of objections on the grounds that the document was not produced is meaningless. Any objection as to admissibility has been waived.	
D-95	Urban		Document titled "Receipt Message Integration"		URBAN_000019076	URBAN_000019076			
D-96	Urban		Document titled "Order Inquiry"		URBAN_000019077	URBAN_000019079			
D-97	Urban		Document titled "Transport Creation"		URBAN_000019086	URBAN_000019088			
D-98	Urban		Document titled "Login and Navigation"		URBAN_000019116	URBAN_000019116			

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Trial Ex.	Party Offering Proposed Exhibit	Date	Description	Confidentiality	Bates Begin	Bates End	Objection(s)	Counter-Objection(s)	Notes
D-99	Urban		Document titled "PO & ASN Inquiry"		URBAN_000019117	URBAN_000019121			
D-100	Urban		Document titled "Test Wash"		URBAN_000019122	URBAN_000019124			
D-101	Urban		Document titled "Receiving"		URBAN_000019125	URBAN_000019128			
D-102	Urban		Document titled "Inventory Transfers"		URBAN_000019137	URBAN_000019137			
D-103	Urban		Document titled "Location Inquiry"		URBAN_000019138	URBAN_000019141			
D-104	Urban		Document titled "Move & Put-Away"		URBAN_000019142	URBAN_000019143			
D-105	Urban		Document titled "Location Creation"		URBAN_000019146	URBAN_000019149			
D-106	Urban		Document titled "Launcher Application"		URBAN_000019150	URBAN_000019150			
D-107	Urban		Document titled "Measure"		URBAN_000019166	URBAN_000019169			
D-108	Urban		Document titled "Returns Management"		URBAN_000019170	URBAN_000019171			
D-109	Urban		Document titled "Garment Retirement"		URBAN_000019173	URBAN_000019175			
D-110	Urban		Document titled "Navigation, Authentication, and Authorization"		URBAN_000019176	URBAN_000019178			
D-111	Urban		Document titled "Dynamic Pricing"		URBAN_000019179	URBAN_000019182	Relevance, Confusion, Waste of Time (Rules 401 and 403)	•Le Tote has yet to describe with particularity the trade secrets it alleges Urban misappropriated, to the extent Le Tote seeks to introduce evidence of alleged misappropriation with respect to any pricing algorithm, this document is relevant.	
D-112	Urban		Le Tote Profit and Loss, Balance Sheet, Statement of Cash Flows June 2017 - May 2019 (24 Months)		LeTote_016092	LeTote_016092			
D-113	Urban	4/3/2018	Email from David Hayne to Dick Hayne, Frank Conforti, Melanie Marein-Efron, Joe Stratter, Kim Gallagher, Chloe Thompson, Azeez Hayne Re: Le Tote DC Videos		URBAN_000004721	URBAN_000004721	Incomplete (Rule 106); Relevance; Confusion; Waste of Time (Rules 401 and 403)	•Part of statement to be introduced to make complete not identified. •Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. FRE 401. Urban's independent research is relevant to Le Tote's claims of misuse. •Proper foundation will be established at trial.	
D-114	Urban		Le Tote Income Statement, Revenue, COGS, OPEX, Headcount 2014-2016		LeTote_000015925	LeTote_000015925			
D-115	Urban	none	Closing Slide Deck		none	none	Objections reserved pending exchange of closing slide decks		